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**SF 220** – Traffic Cameras Ban (LSB1140SV.1)

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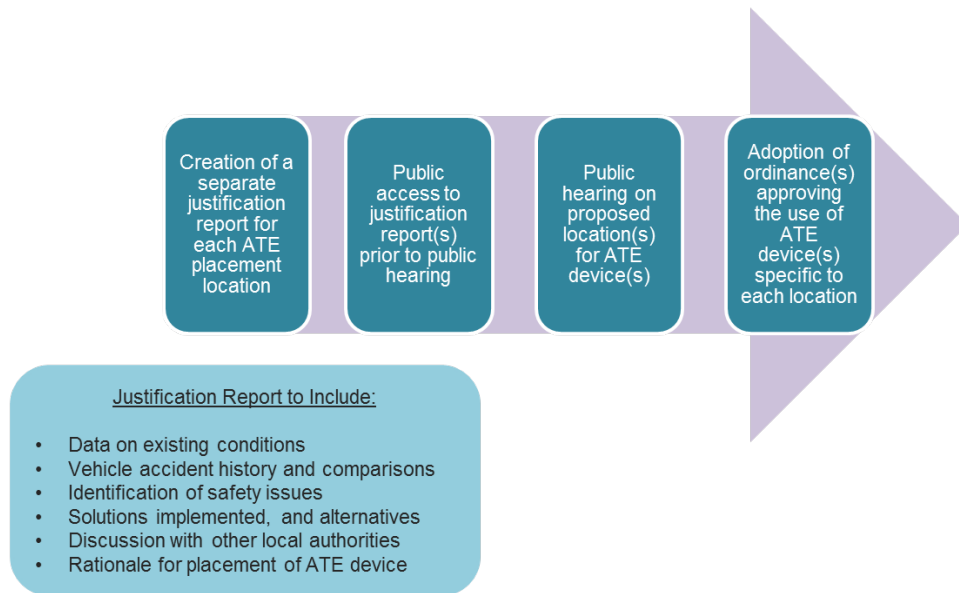
Fiscal Note Version – As Amended and Passed by the Senate (Revised — Assumption)

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**Description**

**Senate File 220** prohibits the use of Automated Traffic Enforcement (ATE) devices by the Iowa Department of Transportation (DOT). Local authorities are prohibited from installing ATE devices without approving each location with an established self-certification process. The self-certification process is described in the chart below.

**Self-Certification Process for ATE Implementation Under SF 220**



Under Senate File 220, each ATE device must be internally calibrated daily, and externally calibrated monthly by a trained individual. Local authorities will be prohibited from imposing a civil penalty that exceeds the penalty established in Iowa Code section [805.8A](#) for the same or similar violations. All revenues collected from ATEs by any local authority, minus necessary expenses, will be deposited into the local authority's road fund or public safety fund.

Senate File 220 also establishes an appeals process for citations issued from ATE devices, and a petition process for citizens under the local authority's jurisdiction to request removal of an ATE device. Each local authority operating an ATE device is required to file an annual report with the General Assembly on the effectiveness of the ATE device.

ATE devices operating on the primary road system must receive approval by the DOT, operate under the DOT's administrative rules, and be subject to annual review, modification, or removal requests by the DOT. Any ATE devices previously approved by the DOT in accordance with its rules will be allowed to continue to operate.

## **Background**

Currently, eight cities and one county operate 79 speeding and red light ATEs. The total number of ATE devices includes both stationary and mobile units. In January 2014, the DOT adopted administrative rules under [761 IAC 144](#) that regulate the use of ATEs on the primary road system. In March 2015, the Department ordered several traffic cameras removed. Of the nine ordered removed, six remain in use awaiting rulings on several lawsuits filed against the DOT by cities. The DOT has also requested an additional three ATE devices be modified. ATE devices operating on secondary or city roads are not impacted by the DOT's existing administrative rules.

## **Assumptions**

- All existing ATE devices will cease operation on or before July 1, 2017, until the local authorities complete the self-certification process for each location in which ATE devices are deployed. **Table 1** provides data on the number of ATE devices, base cost per violation, vendor's share of revenues, and local authorities' share of revenues.

**TABLE 1**

Estimated Violations and Revenues from ATE Devices (As of Feb. 1, 2017)							
City	Fiscal Year	Number of ATEs	Number of Violations Issued	Number of Violations Collected	Base Cost per Violation	Vendor Revenue	Local Authority Revenue
Cedar Rapids	FY 2016	28	154,323	85,495	\$ 75	\$ 2,081,622	\$ 4,447,377
Council Bluffs	FY 2016	12	18,887	12,890	100	614,200	709,009
Davenport	CY 2016	14	39,986	35,182	65	721,281	1,866,982
Des Moines	FY 2016	9	81,577	57,755	65	1,540,945	2,507,338
Fort Dodge	FY 2016	2	5,110	4,062	75	128,065	183,184
Muscatine	CY 2016	9	13,322	12,247	75	330,669	759,268
Polk County	FY 2016	2	6,888	6,780	65	198,560	282,192
Sioux City	FY 2016	2	18,528	12,970	100	800,348	2,866,320
Windsor Heights*	CY 2016	1	n/a*	1,209	65	26,909	45,560
Totals		79	338,621	228,590		\$ 6,442,599	\$13,667,230
* Incomplete data due to change of vendor							
Source: Local authorities							

- The impact on the adoption of new ATE locations and the operation of existing ATEs is unknown. Additional regulations under Senate File 220 may slow future adoption and eliminate some existing ATE locations.
- Sioux City will decrease the base cost per citation for speed violations to comply with Iowa Code section [805.8A](#).
- The DOT will continue to allow existing approved ATE devices on primary roadways, and maintain its current approval process for local authorities' requests to install additional devices on primary roads.
- Revenue generated from ATE devices will be deposited into accounts maintained by authorities for road funds or public safety. **Table 2** provides data on the funds in which ATE revenues are currently deposited.

**TABLE 2**

<b>Funds Receiving ATE Revenues</b>	
<b><u>Authority</u></b>	<b><u>ATE Revenue</u></b>
Cedar Rapids	General Fund
Council Bluffs	General Fund
Davenport	General Fund
Des Moines	Police Operating Expenses
Fort Dodge	Salary Expenses for Police Dept.
Muscatine	Police Dept.
Polk County	Public Safety Fund
Sioux City	Public Safety Projects
Windsor Heights	General Fund & Police Dept.

**Fiscal Impact**

- The locations where ATE devices will be self-certified are unknown. Local authorities will see a decrease in revenue from any ATE location that does not follow the certification process. Refer to the totals in **Table 1** for revenue by local authority.
- Provided that Sioux City completes the certification process for each of its ATE locations, revenue will decrease by an estimated \$315,000 in FY 2018 to comply with lowering the base cost for speed violations.
- It is not known if existing ATE devices operating without approval from the DOT will be modified or removed under Senate File 220. Any discontinued operation or removal of devices from the primary road system may decrease revenue for Cedar Rapids, Des Moines, Muscatine, and Sioux City.
- There is no fiscal impact to the DOT. The Department will continue to fund the ATE approval and evaluation process through existing appropriations to the Highway Division.

**Sources**

Cedar Rapids City Manager's Office  
 Council Bluffs Public Works  
 Davenport Police Department  
 Des Moines Government Relations  
 Fort Dodge Police Department

Muscatine Finance Department  
 Polk County Sheriff's Department  
 Sioux City Police Department  
 Windsor Heights Police Department  
 Department of Transportation

/s/ Holly M. Lyons

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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